

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TAMARA SCHEPPELMAN,

Plaintiff,

Case No. 1:24-cv-1104

v.

Hon. Hala Y. Jarbou

COUNTY OF BERRIEN, et al,

Defendants.

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ORDER

On November 26, 2024, defendant Wellpath, LLC (“Wellpath”) filed a Suggestion of Bankruptcy and Notice of Stay (ECF No. 9, the “Stay Notice”), attaching as Exhibit A a *Voluntary Petition for Non-Individuals Filing for Bankruptcy*, filed by Wellpath and related entities on November 11, 2024 in the United States Bankruptcy Court for the Southern District of Texas (the “Petition”). Rider 1 to Exhibit A of the Petition identifies Wellpath as a debtor. By filing the Stay Notice, Wellpath represents that filing of the Petition automatically stays the above-captioned civil action under 11 U.S.C. § 362(a) of the Bankruptcy Code, pending further order of the Texas Bankruptcy Court. *See* Stay Notice at Par. 3.

This Court recognizes its obligation to enforce the automatic stay, but also the Court’s own authority to determine whether a matter pending before it is stayed by a related bankruptcy filing. *Singleton v Fifth Third Bank (In re Singleton)*, 230 B.R. 533, 539 (B.A.P. 6th Cir. 1999) (cited approvingly for this proposition in *Hamilton v. Herr (In re Hamilton)*, 540 F.3d 367, 375 (6th Cir. 2008)).

Section 362(a) of the Bankruptcy Code provides, in part, that the filing of a voluntary petition:

operates as a stay, applicable to all entities, of-

(a) the commencement or continuation, including the issuance or employment of process, of a judicial, administrative, or other action or proceeding against the debtor that was or could have been commenced before the commencement of the case under this title, or to recover a claim against the debtor that arose before the commencement of the case under this title.

Plaintiff filed this case on October 21, 2024, alleging that she was subjected to discrimination and retaliation in violation of state and federal law by her employer defendant Wellpath, LLC (“Wellpath”) and defendant Berrien County at the county’s jail where she worked as a registered nurse for Wellpath. *See* Complaint, (ECF No. 1). On November 11, 2024, Wellpath filed the Petition.

This case was thus pending when Wellpath filed its petition in the Bankruptcy Court. The Court concludes that the plain language of § 362(a) requires this Court to enforce the stay pending further order of this Court or the Bankruptcy Court for the Southern District of Texas. Accordingly, this case is **STAYED and ADMINISTRATIVELY CLOSED.**

IT IS SO ORDERED.

Dated: December 18, 2024

/s/ Ray Kent
RAY KENT
United States Magistrate Judge